

REMARKS

After entry of this amendment, claims 24-26 and 28-51 will be pending for the Examiner's review and consideration.

Claim 24 has been amended to an independent claim by incorporating therein the recitations of claim 1. New claims 28-51 have been added. Support for new claim 28 may be found in, e.g., paragraph [0123] of the published application. Support for new claims 29 and 30 may be found in, e.g., claims 3 and 4 as filed, respectively. Support for new claims 31-33 may be found in, e.g., claims 9-11 as filed, respectively. Support for new claims 34-36 may be found in, e.g., claims 15-17 as filed, respectively. Support for new claims 37-39 may be found in, e.g., claims 19-21 as filed, respectively. Support for new claims 40-51 may be found in, e.g., claim 18 as filed. Thus, Applicant believes that no new matter has been introduced by the above amendments.

Claims 1-23 and 27 have been canceled without prejudice solely to expedite the allowance of the remaining claims. Applicant expressly reserves the right to file one or more continuation and/or divisional applications directed to the subject matter of the canceled claims and/or subject matter of the present amendments.

As the application has already published as United States Patent Application Publication No. US 2005/0234166 A1 on October 20, 2005, Applicant believes the submission of a substitute specification containing the current amendments is not required.

In the January 24, 2007 Office Action, a Restriction Requirement was imposed under 35 U.S.C. § 121 as follows, requiring election of one of the following groups for prosecution on the merits, each of which is alleged to encompass a separate invention:

- I. Claims 1-4 and 8-23: composition of a graft polymer, classified in class 525, subclass 296;
- II. Claims 5-7 and 27: method of making a starting material and the starting material, classified in class 524, subclass 801; and
- III. Claims 24-26: method of using graft copolymer, classified in class 204, subclass 456.

In response, Applicant elects, without traverse, the Group III claims, numbers 24-26 and 28-51, for continued prosecution in the present application. Applicant fully reserves the right to

prosecute the subject matter of the non-elected claims in related applications.

The Office Action also requires Applicant to elect for prosecution a single species from each of the following allegedly patentably distinct species of the claimed invention:

- a sieve polymer species from one of those recited in claim 2;
- an M₁ species from one of those recited in claim 12; and
- an M₂ species from one of those recited in claim 13.

The Office Action states that all claims are generic.

Applicant hereby provisionally elects:

- a sieve polymer, or a salt thereof, having a monomer unit that is acrylamide;
- *N,N*-dimethyl-acrylamide as M₁; and
- acrylamide as M₂;

without prejudice for substantive examination. It is respectfully submitted that at least claims 29, 33 and 40-51 are readable on the elected species. Claims 24-26, 28, 31, 32 and 34-39 are believed to be generic.

Applicant understands that, pursuant to 37 C.F.R. §§ 1.141 and 1.146, if a generic claim is allowed, Applicant is entitled to consideration of claims drawn to nonelected species that are written in dependent form or otherwise include all the limitations of an allowed generic claim.

An early and favorable action is respectfully requested.

Other than the fee for the petition to extend the time to respond to the Office Action, no fee is believed to be due for this response. Should any fee(s) be required, please charge such fee(s) to Jones Day Account No. 50-3013.

Respectfully submitted,

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